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**REMARKS**

Claims 1 - 14 are currently pending in the application. By this amendment, claims 1, 4, 7, 11 and 14 are amended for the Examiner's consideration. The foregoing separate sheets marked as "Listing of Claims" shows all the claims in the application, with an indication of the current status of each.

Claim 1 has been amended to change the term 'packet ID field' to read 'program ID field'. This change is to make the claim consistent with the language of the specification on page 3, line 24. This paragraph discusses the program ID as an identifier within the packet header that identifies specific programs within the data payload and is different from the MPEG-2 standard packet ID. Claims 4 and 11 have been amended to make a typographical revision that changes 'sad' to read 'said'. No new matter has been introduced as a result of this amendment. Claims 7 and 14 have been amended to correct the spelling of 'accodance' to read 'accordance'.

Claims 1 - 14 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Komi et al. (6,477,185) and Mao (6,459,427). This rejection is traversed.

The English language is an imprecise tool for describing what are becoming more and more complex technical innovations. The same words are used to describe drastically different ideas and concepts. It is understandable that subtle differences can be confusing when trying to distinguish capabilities from one device to another. It is this confusion of language that may be inhibiting the ability to easily differentiate the current invention. However, the language similarities should not influence the fact that the current application is distinctly unique and separate from those referenced by the Examiner. The current application is looking at filtering an MPEG Transport Stream (TS) to eliminate unnecessary data and allow cost effective storage of selected programs that are transmitted within a stream of data. For example, the digital satellite television signal contains all the broadcast programs and data (program

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guide, internet messages, etc.) for more than 200 individual television local and subscriber channels that are streaming into the home receiver every minute of the day. One embodiment of the current application is to enable a user to select and record (store) a particular program contained within the enormous stream of incoming data. In order to make the storage device cost effective for the user, the storage capability needs to minimize the amount of hardware required to capture the desired data signals. It is the combination of coding and filtering of specific data within a larger transport stream that allows a specific subset, or a *program*, to be captured for storage. To select the specific program data, the current application uses a program ID to identify the desired data and uses a masking concept together with filters to 'not match' and therefore not save the unwanted data.

The Komi invention is focused on a completely different operation. The Komi invention is a decoding device that uses the Packet ID to select higher priority packets for decoding regardless of the sequence of packets in the transport stream. Komi is looking at the Packet ID as the descriptor for what packets might have a higher priority than other packets within the transport stream. This could be useful when looking for messages contained within the data stream that should be decoded and displayed as soon as they are received rather than waiting to decode after previously received packets have been decoded. The difference here is that Komi decodes all packets at some point. There is no storage or re-encoding of the data as with the current invention.

The Mao invention is a device that inserts internet data into the MPEG Transport Stream. This insertion of data is done using some multiplexing and filtering. The data, once inserted, just becomes another one of the numerous packets within the MPEG Transport Stream. This packet may have a high priority that could then be decoded by the Komi device or may be a selected data section that is stored by the current invention.

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In summary, the two referenced devices use some type of filtering and Packet ID recognition which result in distinctly different outcomes from that of the current application.

With respect to claims 1 and 8, the Examiner cites column 7, lines 16 - 21 of Komi et al. (6,477,185) to argue that the Packet Identification header described by Komi is the same as the Program Identifier of claim 1. This is in error. The **packet identifier** (PID) of Komi is the 13-bit MPEG-2 packet ID (*MPEG Video Compression Standard*, Mitchell, Joan L., Pennebaker, William B., Frogg, Chad E., and LeGall, Didier J., Chapman and Hall, New York, 1997, Section 7.5, Packet Layer) and copies are attached. The **program ID** of the current invention is a separate identifier also contained within the packet header that describes a specific program that is present in the payload of the packet. If the Examiner were evaluating the payload portion of the MPEG-2 packet, a transport table section layer would be seen which contains the actual program data described by the program ID. The Examiner also incorrectly equates the PID reference table of the Komi invention with the transport table section of the current invention. Komi actually scans all the packet headers as the transport stream is received and creates a table of all the packet identifiers (PIDs) and compares these PIDs to determine priority. The transport table section of the current invention is the actual A/V data that would be stored if it were selected via the filter, mask and not match registers. Hence, the filtering described in claims 1 and 8 of the current invention are filtering completely different data elements against completely different criteria than that which is done by the Komi invention. Since the selection IDs are different, any combination with Mao (6,459,427) would not provide or make obvious the same result.

With respect to claims 2 and 9, the current invention allows filter blocks to be identified with a filter ID. This filter ID, as described on page 16, first paragraph, essentially names filter blocks that are set up and correlated with the data to be filtered and takes the form of a control word (page 9, line 3). The Examiner reference

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(Komi column 11, lines 5 - 11) does not discuss a control word or its relationship to a filter ID, as is required in claims 2 and 9.

As for claims 3 and 10, the Examiner again cites Komi column 11, lines 5 - 11. However, this reference does not discuss the filter ID nor does it discuss a pointer to the next filter function.

The Examiner has rejected claims 4 and 11 and references Komi column 12, lines 26 - 37. The data stream in the current invention is ANDed or ORed based on a program ID and filter ID together with Not Match bits. The reference from Komi again discusses the use of the Packet ID and the PID table that is used to compare priority of the packet data. These are unrelated functions.

As for claims 5, 6, 12, and 13, the Examiner has referenced Komi column 7, lines 27 - 41. This discussion relates to the 13-bit packet ID. This<sup>↑</sup> is not the program ID of the current invention and is not used as the method for selecting and filtering the data to be stored.

Finally, for claims 7 and 14, the Examiner has found the phrase 'one byte' relative to the PID table in Komi column 12, lines 53 - 67 and argues that this teaches the same function as that in claims 7 and 14. However, claims 7 and 14 refers to the matchword associated with the not match indication register used for filtering the selected program data. The two are not the same.

As can be seen from the above paragraphs, various required elements of the claims are wholly lacking from both references. As such, no combination of Komi and Mao would make the claimed invention obvious.

In view of the foregoing, it is requested that the application be reconsidered, that claims 1 - 14 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: mike@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

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If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Whitham", is written over the typed name.

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